

112TH CONGRESS
2D SESSION

H. R. 4164

To amend title 10, United States Code, to authorize space-available travel on military aircraft for members of the reserve components, a member or former member of a reserve component who is eligible for retired pay but for age, widows and widowers of retired members, and dependents.

IN THE HOUSE OF REPRESENTATIVES

MARCH 7, 2012

Mr. YOUNG of Alaska (for himself and Mr. LOEBSACK) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to authorize space-available travel on military aircraft for members of the reserve components, a member or former member of a reserve component who is eligible for retired pay but for age, widows and widowers of retired members, and dependents.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Space-Available Act
5 of 2012”.

1 **SEC. 2. ELIGIBILITY OF ACTIVE AND RESERVE MEMBERS,**
2 **RETIREES, GRAY AREA RETIREES, AND DE-**
3 **PENDENTS FOR SPACE-AVAILABLE TRAVEL**
4 **ON MILITARY AIRCRAFT.**

5 (a) IN GENERAL.—Chapter 157 of title 10, United
6 States Code, is amended by inserting after section 2641b
7 the following new section:

8 **“§ 2641c. Space-available travel on department of de-**
9 **fense aircraft: eligibility**

10 “(a) AUTHORITY TO ESTABLISH BENEFIT PRO-
11 GRAM.—The Secretary of Defense may establish a pro-
12 gram to provide transportation on Department of Defense
13 aircraft on a space-available basis. The program shall be
14 conducted in a budget neutral manner.

15 “(b) BENEFIT.—If the Secretary establishes such a
16 program, the Secretary shall, subject to section (c), pro-
17 vide the benefit equally to the following individuals:

18 “(1) Active duty members and members of the
19 Selected Reserve holding a valid Uniformed Services
20 Identification and Privilege Card.

21 “(2) A retired member of an active or reserve
22 component, including retired members of reserve
23 components, who, but for being under the eligibility
24 age applicable to the member under section 12731
25 of this title, would be eligible for retired pay under
26 chapter 1223 of this title.

1 “(3) An unremarried widow or widower of an
2 active or reserve component member of the armed
3 forces.

4 “(4) A dependent that—

5 “(A)(i) is the child of an active or reserve
6 component member or former member described
7 in paragraph (1) or (2); or

8 “(ii) is the child of a deceased member en-
9 titled to retired pay holding a valid Uniformed
10 Services Identification and Privilege Card and a
11 surviving unremarried spouse; and

12 “(B) is accompanying the member or, in
13 the case of a deceased member, is the surviving
14 unremarried spouse of the deceased member or
15 is a dependent accompanying the surviving
16 unremarried spouse of the deceased member.

17 “(5) The surviving dependent of a deceased
18 member or former member described in paragraph
19 (2) holding a valid Uniformed Services Identification
20 and Privilege Card, if the dependent is accom-
21 panying the member or, in the case of a deceased
22 member, is the surviving unremarried spouse of the
23 deceased member or is a dependent accompanying
24 the surviving unremarried spouse of the deceased
25 member.

1 “(6) Other such individuals as determined by
2 the Secretary in the Secretary’s discretion.

3 “(c) DISCRETION TO ESTABLISH PRIORITY
4 ORDER.—The Secretary, in establishing a program under
5 this section, may establish an order of priority that is
6 based on considerations of military needs and military
7 readiness.”.

8 (b) CLERICAL AMENDMENT.—The table of sections
9 at the beginning of such chapter is amended by inserting
10 after the item relating to section 2641b the following new
11 item:

“2641c. Space-available travel on Department of Defense aircraft: eligibility.”.

